

## STIPULATION AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service ("APHIS"), Animal Care, and Robert E. Brownlee (DBA: Brownlee Furry Friends) with reference to the following facts:

I. At all times mentioned herein, Robert E. Brownlee was a licensed dealer under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (the "AWA"), and held AWA license 42-A-0702, in connection with the animal facility located at 71384 Yankton Road, Massena IA 50853.

II. APHIS has documented evidence of Robert E. Brownlee's non-compliance with the AWA and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and specifically, has documented evidence of Robert E. Brownlee's repeated failure to provide dogs with minimally adequate housing facilities as required by section 3.1 of the AWA regulations through 3.19 of the AWA standards for the humane handling, care and treatment of dogs (9 C.F.R. §§ 3.1-3.19). On October 12, 2010, Robert E. Brownlee's AWA license 42-A-0702 was surrendered to APHIS officials and terminated.

III. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph II.

IV. APHIS and Robert E. Brownlee have determined to settle the issues related to the potential violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

A. Robert E. Brownlee admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.

B. Robert E. Brownlee consents and agrees to the following: As of October 12, 2010, AWA license 42-A-0702 is permanently revoked. Robert E. Brownlee and any partnership, firm, corporation or other legal entity that he controls or in which he has a substantial interest, financial or otherwise, are permanently disqualified from (a) obtaining an Animal Welfare Act license, and (b) engaging in activities governed by the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) and regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*), either directly or indirectly, on or off 71384 Yankton Road, Massena IA 50853.

C. Robert E. Brownlee consents and agrees that his failure to comply with the terms of this agreement shall automatically void paragraph D below, and that APHIS shall have the right to institute enforcement proceedings against Robert E. Brownlee based upon the non-compliant items documented at 71384 Yankton Road, Massena IA 50853, in connection with animal welfare investigation IA10039 AC, and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

D. For and in consideration of Robert E. Brownlee's agreements and actions described in paragraph B above, and the promises and admissions of Robert E. Brownlee set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against Robert E. Brownlee in connection with the alleged AWA violations documented in animal welfare investigation IA10039 AC.

APHIS and Robert E. Brownlee warrant and represent that their respective representatives, whose signatures appear below, have the authority to execute this Agreement and to bind each of the parties, respectively, to this Agreement.

[REDACTED]

Date: 1-18-11

[REDACTED]

[REDACTED]

U.S. DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICES

[REDACTED]

Date: 2-8-11

Robert M. Gibbens, DVM  
Director, Animal Care, Western Region  
Animal and Plant Health Inspection Service  
United States Department of Agriculture